

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA

DUBLIN DIVISION

FILED
U.S. DISTRICT COURT

2009 MAY 26 P 2:26

CLERK *S. McArthur*

ROGER LEE MCRAE,

Plaintiff,

v.

HUSQVARNA OUTDOOR PRODUCTS,
INC.,

Defendant.

CV 308-110

ORDER

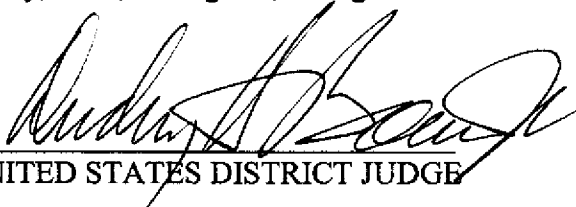
After a careful, *de novo* review of the file, the Court concurs with the Magistrate Judge's Report and Recommendation, to which objections have been filed. The Magistrate Judge recommended dismissal of Plaintiff's employment discrimination case because after being directed to file an amended complaint and being given an extension of time to file an amended complaint, Plaintiff failed to do so. (Doc. no. 5).

Plaintiff's objections state that he delayed in responding to the Magistrate Judge's Orders to amend his complaint (doc. nos. 3, 4), because he was trying to obtain an attorney; Plaintiff claims that he has been unable to obtain an attorney because it is too expensive. (Doc. no. 7). Although Plaintiff states that he would like to pursue his case, he still has not filed an amended complaint. Nor has he sought an extension of time to file an amended complaint. (*Id.*).

The Magistrate Judge clearly explained, "If Plaintiff wishes to pursue this case, he

MUST amend the original complaint.” (Doc. no. 3, p. 4). Plaintiff failed to do so. Accordingly, the Report and Recommendation of the Magistrate Judge is **ADOPTED** as the opinion of the Court. Therefore, Plaintiff’s case is **DISMISSED** without prejudice, and this civil action is **CLOSED**.

SO ORDERED this 26th day of May, 2009, at Augusta, Georgia.


UNITED STATES DISTRICT JUDGE